

MEMORIAL RESOLUTION

S.R. 893 - By Senator Snelson: Memorial resolution for Jesse Dewey McKiddy.

CONGRATULATORY RESOLUTIONS

S.R. 888 - By Senator Harris: Extending congratulations to Phileo Singers of Dallas.

S.R. 891 - By Senator Sherman: Extending commendations to Texas Rural Development Commission.

S.R. 897 - By Senator Adams: Extending commendations to K. A. Anderson.

S.R. 898 - By Senator Adams: Extending congratulations to Mrs. Rebecca Jones and Mrs. Agnes Downer.

S.R. 899 - By Senator Adams: Extending congratulations to Dr. Robert D. Baker.

ADJOURNMENT

On motion of Senator Moore the Senate at 7:02 o'clock p.m. adjourned until 9:00 o'clock a.m. Monday, May 26, 1973.

APPENDIX**Sent to Governor****May 26, 1973**

S.B. 111	S.B. 590
S.B. 131	S.B. 638
S.B. 168	S.B. 817
S.B. 208	S.B. 868
S.B. 302	S.B. 904

EIGHTY-FOURTH DAY
(Monday, May 28, 1973)

The Senate met at 9:00 o'clock a.m. pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend Fred Bomar, St. Peter of the Apostle Church, Austin, Texas, offered the invocation, as follows:

Our Father, bowing for a hallowed moment in this Senate Chamber, the wayside altar of Your grace, we make our souls the sanctuary of Your Spirit. We invoke Your aid in the completion of the task set for this assembly. Grant to each here present, clear vision, true insights, and integrity of dedication. May we be made to realize that in unity there is strength, and that through joint activity we benefit all the citizens of Texas. Our problems and our goals we lay before You this morning, not to escape them, but praying for Your empowering, so that with strength and courage, with hearts and minds united, we may advance our commitment to all the people of this great State. We pray, in all our duties, for Your help, in all our perplexities, Your great counsel. We pray in the name of our Lord Jesus Christ. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Saturday, May 26, was dispensed with and the Journal was approved.

SENATE RESOLUTION 906

Senator Herring offered the following resolution:

WHEREAS, The work accomplished by the Texas Senate has been greatly assisted by our Enrolling and Engrossing Clerk, Mary Key, our Technical Supervisor, Carra Elkins, and the fine people working with them; and

WHEREAS, The accuracy and skill with which they have performed their duties enabled the Senate to handle a large volume of legislation smoothly and efficiently, and their constant interest in doing a good job was particularly noteworthy; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature commend these employees for their capable and loyal services; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the appreciation thus expressed by the Members of the Senate.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

SENATE RESOLUTION 907

Senator Herring offered the following resolution:

WHEREAS, Tommy Townsend has performed his duties as Sergeant-at-Arms in a conscientious and commendable manner throughout this session; and

WHEREAS, Besides serving as a constant reminder of the dignity and decorum suitable to this Body, the Sergeant-at-Arms and his staff have assisted in the operational functions of the Senate and been of service to many visitors to the Senate Chamber; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature commend Tommy Townsend and his staff for their services; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the appreciation thus expressed by the Members of the Senate.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

SENATE RESOLUTION 908

Senator Herring offered the following resolution:

WHEREAS, Alex Martinez, Supervisor, and the Senate Reproduction staff have provided prompt and expert services throughout this session, greatly assisting the work of the Senate; and

WHEREAS, The quality of workmanship and cooperative spirit reflect the high standards set by Mr. Martinez and the pride which he and his staff take in performing their duties; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature commend Alex Martinez and his staff for the fine services rendered by Senate Reproduction; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the appreciation thus expressed by the Members of the Senate.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

SENATE RESOLUTION 909

Senator Herring offered the following resolution:

WHEREAS, Mrs. Madge Steinle, Director, and the personnel of Staff Services have provided valuable assistance to the Senate throughout this session; and

WHEREAS, Their efficiency, courtesy and cooperation meet high standards of public service and reflect much credit on the Senate; now, therefore, be it

RESOLVED, That the Texas Senate commend Mrs. Madge Steinle and Staff Services for their efficient and loyal assistance; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the Members' appreciation.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

SENATE RESOLUTION 910

Senator Herring offered the following resolution:

WHEREAS, The Senate considers itself most fortunate in the services rendered by its floor personnel, a group whose loyalty, dedication and high degree of capability have contributed immeasurably to the success of this session; and

WHEREAS, Their work was excellent in all respects and their knowledge of procedural matters was of much assistance in handling a large amount of important legislation; the Members are appreciative also of the courtesy and unfailing cooperation they received from all; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature commend the Calendar Clerk, Polly Miller, and the Assistant Clerk, Joyce Osborne; the Journal Clerk, Betty King, and the Assistant Clerks, Kay Hughes and Margrette Vollers, and Assistant Senate Secretaries Marian Dellana and Katie Gibbs, for their valuable and loyal services; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the appreciation thus expressed by the Members of the Senate.

The resolution was read.

On motion of Senator Snelson and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

SENATE RESOLUTION 911

Senator Herring offered the following resolution:

WHEREAS, The work of the Texas Senate is greatly assisted by the loyal and efficient services of the Secretary of the Senate; and

WHEREAS, Charles A. Schnabel, Jr., who has served in this capacity since 1955, brings unusual skill and understanding to a highly responsible position, performing his duties and administering an excellent staff most capably; and

WHEREAS, He brings to his job also a sense of enjoyment and quiet good humor which tend to ease whatever tensions may develop among the sometimes fractious male Senators - our charming lady Member is of course excepted - and he is liked and admired by all; although the demands on his time are heavy, he gives a great amount of service to his community and his church and with his lovely wife, Nadine, shares fully in the interests and activities of their children, Mark and Beth Anne; and

WHEREAS, The Members of the Senate appreciate the services rendered by Charles A. Schnabel, Jr. as Secretary of the Senate; now, therefore, be it

RESOLVED, By the Senate that he be commended for his dedication to the office and for the loyalty and friendship he has shown for each Member; and be it further

RESOLVED, That this Resolution be spread upon the Senate Journal as a token of the appreciation and esteem in which he is held by the Members of the Senate.

The resolution was read.

On motion of Senator Snelson and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring, the resolution was adopted.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby

President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on S.B. 60 by a vote of 121 Ayes, 8 Noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on S.B. 216. House Conferees: Baker, Chairman; Caldwell, Harris, Hubenak, Watson.

The House has adopted the Conference Committee Report on H.B. 339 by a vote of 127 Ayes, 4 Noes, with 4 Present-Not voting.

H.C.R. 220, Commending Richard Morehead of Dallas News.

H.C.R. 175, Wishing Judge Robert Ewing Thomason a happy birthday.

H.C.R. 212, Congratulating Mrs. Maureen Berzette Amis.

H.C.R. 97, Creating a joint interim committee to study the feasibility of establishing a University of South Texas System.

H.C.R. 205, Requesting an advisory commission on Intergovernmental Relations, et al., to study health, etc.

H.C.R. 167, Creating a joint interim study committee to investigate policies of Texas blood banks and related matters.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILL 983 WITH HOUSE AMENDMENT

Senator Hightower called S.B. 983 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 983, Senate Printing of original bill, page 1, line 6, by striking out the word "shall" and substituting in lieu thereof the following word:

"may".

The House amendment was read.

Senator Hightower moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Tracer, Wallace and Wolff.

CONFERENCE COMMITTEE ON HOUSE BILL 68

Senator Blanchard called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H.B. 68 and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on H.B. 68 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Blanchard, Traeger, Mauzy, Hightower and Schwartz.

HOUSE CONCURRENT RESOLUTION 220 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 220, Commending Dick Morehead.

The resolution was read.

On motion of Senator Adams and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Jones, the resolution was adopted.

SENATE BILL 14 WITH HOUSE AMENDMENT

Senator Traeger called S.B. 14 from the President's table for consideration of the House amendment to the bill.

AMENDMENT NO. 1

The President laid the bill and the House amendment before the Senate.

Amend Section 1 of Senate Bill 14 to read as follows:

Section 1. Article 12, Revised Civil Statutes of Texas, 1925, is amended to read as follows:

"Article 12. Fiscal Year. The fiscal year of the state and all of its subdivisions shall terminate on August 31 for the fiscal years commencing on September 1, 1973, 1974 and 1975. The fiscal year commencing on September 1, 1976 shall terminate on June 30, 1977. Thereafter, the fiscal year shall begin July 1 and end June 30 of the following year. General appropriations of the state government shall conform thereto. All officers who are required by law to report annually or biennially to the Legislature or Governor shall close their accounts on the termination date of the fiscal year, and as soon thereafter as practicable shall prepare and compile their respective reports."

The House amendment was read.

Senator Traeger moved to concur in House amendment.

The motion prevailed.

MESSAGES FROM GOVERNOR

The following Messages from the Governor were read and filed with the Secretary of the Senate:

Austin, Texas
May 26, 1973

**TO THE MEMBERS OF THE SENATE, SIXTY-THIRD LEGISLATURE,
REGULAR SESSION, STATE OF TEXAS:**

Pursuant to the provisions of Article IV, Section 14 of the Constitution of the State of Texas, I herewith return to you S.B. 295 unsigned for the following reasons:

I am well aware that a number of county attorneys included in S.B. 295 actually performed the duties of a District Attorney, although they do not have the title of District Attorney. The idea behind the introduction of this bill was to provide adequate salaries for those officials whose primary work is the representation of the state in the prosecution of felony offenses.

As so often happens in the legislative process, unfortunately this bill was amended to include other officials who did not qualify under the purposes for which this bill was conceived. As an example, one of the county attorneys in this bill represented the state in only 13 cases during the entire year of 1971, and of these cases, 5 defendants pleaded guilty before a Judge, 5 pleaded guilty before a jury, 2 others pled not guilty and were found guilty before a Judge and the other was acquitted upon a jury trial. In another county, the county attorney's action in felony prosecutions consisted only of dismissing 5 cases, and represented the state upon a plea of guilty in 12 cases. In another county although 41 cases were filed adding to the 63 then on the docket, there were no jury trials and the only activity of that county attorney was representing the state on 25 pleas of guilty. In another county where 402 cases were pending on the docket and 76 new cases were filed, the only activity of the county attorney was to represent the state upon one jury trial in which the defendant was acquitted and 37 cases in which the defendant pled guilty before the Judge.

I feel it absolutely necessary that the total picture of compensation of District Attorneys be examined and that we do not further aggravate the serious inequities that exist in that field by passage of legislation such as S.B. 295, as it is presented to me by the Legislature.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

Austin, Texas
May 28, 1973

**TO THE MEMBERS OF THE SENATE, SIXTY-THIRD LEGISLATURE,
REGULAR SESSION:**

Today I am returning to the Senate in accordance with the request expressed in S.C.R. 126 Senate Bill 34 for further consideration.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

Austin, Texas
May 28, 1973

TO THE MEMBERS OF THE SENATE, SIXTY-THIRD LEGISLATURE,
REGULAR SESSION:

Today I am returning to the Senate in accordance with the request expressed in S.C.R. 125 Senate Bill 777 for further consideration.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

SENATE CONCURRENT RESOLUTION 131

Senator Snelson offered the following resolution:

S.C.R. 131, Suspending joint rules in order to permit the Senate to take up and consider H.B. 1387.

On motion of Senator Snelson and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

**VOTE BY WHICH SENATE REFUSED TO CONCUR IN
HOUSE AMENDMENTS TO SENATE BILL 11 RECONSIDERED**

Senator Blanchard asked unanimous consent that the vote by which the Senate refused to concur in House amendments to S.B. 11 be reconsidered. (He having voted on the prevailing side.)

There was objection.

(Senator Schwartz in Chair)

Senator Blanchard then moved that the vote by which the Senate refused to concur in House amendments to S.B. 11 be reconsidered.

The motion prevailed by the following vote: Yeas 23, Nays 6.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Harris, Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Clower, Gammage, Harrington, Kothmann, Mauzy and Patman.

Absent: Longoria and Ogg.

Question, Shall the Senate concur in House amendments to S.B. 11?

Senator Wolff then moved to concur in House amendments to S.B. 11.

The motion prevailed by the following vote: Yeas 21, Nays 9.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris, Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Sherman, Snelson, Traeger and Wolff.

Nays: Brooks, Clower, Gammage, Harrington, Kothmann, Mauzy, Patman,

Schwartz and Wallace.

Absent: Longoria.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 901 ADOPTED

Senator Moore called from the President's Table the Conference Committee Report on H.B. 901. (The Conference Committee Report having been filed with the Senate on Saturday, May 26, 1973.)

On motion of Senator Moore, the Conference Committee Report was adopted.

HOUSE CONCURRENT RESOLUTION 184 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 184, Establishing administrative policy regarding charitable contributions by employees of state departments and agencies.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE CONCURRENT RESOLUTION 132

Senator Aikin offered the following resolution:

S.C.R. 132, Suspending Joint Rules to permit the Senate to take up H.B. 564 at any time.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Harris, Herring, Mengden and Wallace.

(President in Chair)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL 83**

Senator Adams submitted the following Conference Committee Report:

Austin, Texas
May 25, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between

the Senate and the House of Representatives on H.B. 83 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Respectfully submitted,

ADAMS
GAMMAGE
WALLACE
SCHWARTZ
AIKIN
On the part of the Senate

ADAMS
PARKER
BLAKE
CLARK
KUBIAK
On the part of the House

The Conference Committee Report was read and was adopted.

RECORD OF VOTES

Senators Moore, Mengden, Creighton, Herring, McKinnon, Blanchard, Meier, McKnight and Jones asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

SENATE CONCURRENT RESOLUTION 133

Senator Jones offered the following resolution:

S.C.R. 133, Suspending Joint Rules to permit either House to take up and consider H.B. 1145.

On motion of Senator Jones and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nay: Mauzy.

SENATE CONCURRENT RESOLUTION 134

Senator Adams offered the following resolution:

S.C.R. 134, Suspending Joint Rules to permit the Senate to take up and consider H.B. 925 at any time.

On motion of Senator Adams and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE CONCURRENT RESOLUTION 135

Senator Clower offered the following resolution:

S.C.R. 135, Suspending Joint Rules to permit the Senate to take up and consider H.B. 295 at any time.

On motion of Senator Clower and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE CONCURRENT RESOLUTION 136

Senator Clower offered the following resolution:

S.C.R. 136, Suspending Joint Rules to permit the Senate to take up H.B. 1521 at any time.

On motion of Senator Clower and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 23, Nays 8.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Santiesteban, Schwartz, Sherman, Snelson and Wallace.

Nays: Kothmann, Longoria, Mauzy, Moore, Ogg, Patman, Traeger and Wolff.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H.B. 739 by non-record vote. (Correction from May 26, 1973)

The House has concurred in Senate amendments to H.B. 111 by non-record vote.

The House has concurred in Senate amendments to H.B. 257 by vote of 128 Ayes, 3 Noes.

The House has concurred in Senate amendments to H.B. 427 by vote of 132 Ayes, 1 No.

The House has concurred in Senate amendments to H.B. 849 by non-record vote.

The House has concurred in Senate amendments to H.B. 873 by vote of 138 Ayes, 0 Noes.

The House has concurred in Senate amendments to H.B. 1193 by vote of 105 Ayes, 25 Noes, with 4 Present-Not voting.

The House has concurred in Senate amendments to H.B. 1352 by non-record vote.

The House has concurred in Senate amendments to H.B. 1455 by vote of 125 Ayes, 1 No, with 9 Present-Not voting.

H.C.R. 195, Authorizing expenditure of funds for the Constitutional Convention.

The House has adopted the Conference Committee Report on H.B. 901 by non-record vote.

The House has concurred in Senate amendments to H.B. 1489 by non-record vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on S.B. 984. House conferees: Truan, Chairman; Hutchison, Clayton, Olson, Garcia.

The House has adopted the Conference Committee Report on S.B. 388 by a non-record vote.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL 360**

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 360 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Respectfully submitted,

SCHWARTZ
CREIGHTON
ADAMS
HARRINGTON
HARRIS

On the part of the Senate

HUBENAK
HILLIARD
BAKER
CALDWELL
BYNUM

On the part of the House

S.B. 360,

A BILL

TO BE ENTITLED

An Act relating to payment of benefits under insurance policies providing hospital, nursing, medical, or surgical coverage; prohibiting certain exclusions; requiring provisions in policies in conformity with this Act; amending Chapter 3, Insurance Code, as amended, by adding an Article 3.42B and by adding a new Subsection (D) to Article 3.70-2; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 3, Insurance Code, as amended, is amended by adding Article 3.42B to read as follows:

"Article 3.42B. BENEFITS PAYABLE TO CERTAIN HOSPITALS.

"After the effective date of this Act, no insurance policy issued or delivered in this State providing hospital, nursing, medical, or surgical coverage may include a provision which would prevent payment of benefits for expenses of a person who is a non-indigent patient incurred in a hospital facility owned or controlled by the State government or by any unit of local government, provided charges for such expenses are regularly and customarily charged to and collected from non-indigent persons by such hospital facility.

"The provisions of this Article shall not apply to indigent care nor to chronic disease care, in an eleemosynary institution, sanitarium, sanatorium, mental treatment facility of every type, tuberculosis treatment facility of every type, and cancer treatment facility of every type, where any such care is provided in or by any such facility (regardless of the type or name) owned or controlled by the State government or by any unit of local government."

Sec. 2. Section 2, Chapter 397, Acts of the 54th Legislature, Regular Session, 1955, as amended by Chapter 418, Acts of the 62nd Legislature, Regular Session, 1971 (codified as Article 3.70-2, Insurance Code), is amended by adding a new Subsection (D) to read as follows:

"(D) No individual policy or group policy or accident and sickness insurance delivered or issued for delivery to any person in this State which provides coverage for mental illness or mental retardation or both mental illness and mental retardation shall exclude benefits for the support, maintenance and treatment of such mental illness or mental retardation provided by a tax supported institution of the State of Texas, including Community Centers for Mental Health and Mental Retardation Services, provided charges for the care or treatment of such mental illness or mental retardation are regularly and customarily charged to non-indigent patients by such tax supported institution. In determining whether or not a patient is a non-indigent patient (as provided in Vernon's Ann. Civ. St. Art. 3196a) such tax supported institution shall consider any insurance policy (or policies) which provides coverage for mental illness or mental retardation or both mental illness and mental retardation to such patients."

Sec. 3. Any presently approved policy form containing any provision in conflict with the requirements of this Act may continue to be issued by any insurer regulated by the provisions of this Act, provided there is attached to such previously approved policy form at time of issue a rider or endorsement amending such previously approved policy form to conform to the provisions of this Act.

Sec. 4. The importance of this Act and the crowded condition of the calendars

in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The Conference Committee Report was read and was adopted.

SENATE CONCURRENT RESOLUTION 137

Senator Clower offered the following resolution:

S.C.R. 137, Suspending Joint Rules to permit the Senate to consider H.B. 296 at any time.

On motion of Senator Clower and by unanimous consent, the resolution was considered immediately and failed of adoption by the following vote: Yeas 8, Nays 20, Present-Not voting 2.

Yeas: Braecklein, Clower, Harrington, Harris, Kothmann, Mauzy, Santiesteban and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Creighton, Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger and Wallace.

Present-Not voting: Brooks and Gammage.

Absent: Longoria.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 216

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on S.B. 216 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Respectfully submitted,

SCHWARTZ
HIGHTOWER
WALLACE
HERRING
TRAEGER
On the part of the Senate

BAKER
CALDWELL

HARRIS
WATSON
HUBENAK
On the part of the House

S.B. 216,

A BILL

TO BE ENTITLED

An Act relating to the compensation paid from county funds to the District Judges of the 10th, 56th, 122nd, and 212th District Courts of Galveston County for services rendered to the county; amending Section 1, Chapter 41, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 6819a-28, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 1, Chapter 41, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 6819a-28, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. In addition to the compensation paid by the State of Texas to District Judges, the Commissioners Court of Galveston County may pay to the District Judges of the 10th Judicial District, the 56th Judicial District, the 122nd Judicial District and the 212th Judicial District, respectively, for services rendered to Galveston County for performing administrative duties, the sum of Ten Thousand Dollars (\$10,000.00) annually to each of the Judges of said District Courts. This amount shall be paid in equal monthly installments out of the General Fund or Officers Salary Fund of Galveston County; however, no District Judge may receive from any county fund or funds as supplemental pay to his salary from the State of Texas, a sum in excess of Ten Thousand Dollars (\$10,000.00) per annum. The Commissioners Court of Galveston County may make proper budget provisions for the payment of the sums authorized in this Act."

Sec. 2. The importance of this Act and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 527**

Senator Schwartz offered the following Conference Committee Report:

Austin, Texas
May 28, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 527 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Respectfully submitted,

SCHWARTZ
TRAEGER
CLOWER
WALLACE
HERRING
On the part of the Senate

HUBENAK
VECCHIO
MATTOX
CALDWELL
BAKER
On the part of the House

S.B. 527,

A BILL

TO BE ENTITLED

An Act relating to the compensation of the criminal district attorney of Galveston County; amending Section 4, Chapter 124, Acts of the 54th Legislature, 1955, as amended (Article 326k-28, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 4, Chapter 124, Acts of the 54th Legislature, 1955, as amended (Article 326k-28, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 4. The Criminal District Attorney of Galveston County shall be commissioned by the Governor and shall receive that salary and compensation from the State of Texas as provided in the statutes and Constitution of the State of Texas and such additional sum to be paid out of the general fund of Galveston County as will bring the total salary, including the salary provided in the Constitution and statutes to an amount not less than the amount paid district judges from the General Revenue Fund of the State of Texas, but in no event to an amount more than the total salary, including supplements, paid any district judge in and for Galveston County. If the officers' salary fund of Galveston County is inadequate, the commissioners court shall transfer the necessary funds from the general fund of the county to the officers' salary fund."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

VOTE ON ADOPTION OF SENATE CONCURRENT RESOLUTION 135 RECONSIDERED

On motion of Senator Creighton and by unanimous consent, the vote by which S.C.R. 135 was adopted was reconsidered.

Question, Shall S.C.R. 135 be adopted?

The resolution failed of adoption by the following vote: Yeas 7, Nays 23, Present-Not voting 1.

Yeas: Braecklein, Clower, Harris, Kothmann, Mauzy, Santiesteban and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Creighton, Gammage, Harrington, Herring, Hightower, Jones, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger and Wallace.

Present-Not voting: Brooks.

SENATE CONCURRENT RESOLUTION 138

Senator Brooks offered the following resolution:

S.C.R. 138, Suspending Joint Rules to permit the Senate to consider H.B. 1162 at any time.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

HOUSE RESOLUTIONS ON FIRST READING

The following resolutions received from the House, were read the first time and referred to the Committee indicated:

H.C.R. 172, To Committee on Administration.
H.C.R. 97, To Committee on Administration.
H.C.R. 205, To Committee on State Affairs.
H.C.R. 158, To Committee on Administration.
H.C.R. 133, To Committee on Administration.
H.C.R. 167, To Committee on Administration.

SENATE CONCURRENT RESOLUTION 139

Senator Brooks offered the following resolution:

S.C.R. 139, Suspending Joint Rules to permit the Senate to consider H.B. 285 at any time.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and failed of adoption by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 19, Nays 12.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Harris, Hightower, Jones, Longoria, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Braecklein, Clower, Gammage, Harrington, Herring, Kothmann, Mauzy, McKinnon, McKnight, Santiesteban and Schwartz.

REPORT OF STANDING COMMITTEE

Senator Mauzy submitted the following report for the Committee on Education:

The nomination of Carroll Sullivant to be a member of the Board of Regents

of North Texas State University.

EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate (Senator McKinnon having given notice on Saturday).

Senator Aikin moved that the Senate Rule 41 be suspended in order to consider nominations scheduled for today in open session.

The motion was lost by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 16, Nays 15.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, Patman, Santiesteban, Schwartz, Sherman and Wolff.

Nays: Andujar, Blanchard, Creighton, Harris, Herring, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Snelson, Traeger and Wallace.

Accordingly, the President at 11:30 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order As In Legislative Session at 11:55 o'clock a.m. today.

Senator McKinnon moved confirmation of the nominees heard in Executive Session.

NOMINEES CONFIRMED

MEMBER OF THE TEXAS BOARD OF ATHLETIC TRAINERS

Mr. Frank E. Medina of Austin, Travis County, term to expire January 31, 1979.

MEMBERS OF THE STATE BOARD OF NURSE EXAMINERS

For terms to expire January 31, 1979:

Dr. Geddes McLaughlin of Dallas, Dallas County.

Sister Regis Maillian of Austin, Travis County.

MEMBER OF THE TEXAS AERONAUTICS COMMISSION

Mr. C. T. Matthew of Yoakum, DeWitt County, term to expire December 31, 1976.

MEMBERS OF THE BOARD OF DIRECTORS OF THE RIO GRANDE VALLEY POLLUTION CONTROL AUTHORITY

For terms to expire April 30, 1975:

Mr. Garland F. Smith of Weslaco, Hidalgo County;

Mr. Richard Martinez, Sr. of McAllen, Hidalgo County;

Mr. Justo L. Cisneros of Brownsville, Cameron County.

MEMBER OF THE BOARD OF DIRECTORS OF THE TEXAS TURNPIKE AUTHORITY

Mr. R. J. Lindley, Jr. of Houston, Harris County, term to expire February 15,

1979.

MEMBER OF THE BOARD OF REGENTS OF WEST TEXAS STATE UNIVERSITY

Mr. Wayne Owen of Lubbock, Lubbock County, term to expire August 31, 1975.

MEMBERS OF THE BOARD OF REGENTS OF TYLER STATE COLLEGE

For terms to expire January 31, 1979:

Mr. Robert G. Schleier of Kilgore, Gregg County;

Mr. Neal G. Velvin of Athens, Henderson County;

Mr. Jack G. Morgan of Kaufman, Kaufman County.

MEMBER OF THE BOARD OF REGENTS OF TEXAS SOUTHERN UNIVERSITY

Reverend J. Carroll Chadwick of Center, Shelby County, term to expire February 1, 1979.

MEMBER OF THE BOARD OF REGENTS OF NORTH TEXAS STATE UNIVERSITY

Mr. Carroll Sullivant of Gainesville, Cooke County, term to expire May 22, 1979.

The nominees were confirmed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

HOUSE BILL 1145 RE-REFERRED

On motion of Senator Jones and by unanimous consent, H.B. 1145 was withdrawn from the Committee on Education and re-referred to the Committee on Administration.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H.B. 1673 by vote of 125 Ayes, 11 Noes, with 1 Present-Not voting.

S.C.R. 102, Endorsing the concept of utilization of desirable portions of such surplus ships for creation of artificial reefs and authorizing the Parks and Wildlife Department to take necessary action.

S.C.R. 101, Directing the Texas Council on Marine-Related Affairs, among others, to undertake a comprehensive study of the problem of providing estuarine

inflows in Texas; and further directing the Council to submit a report of its findings and recommendations to the Governor and 64th Legislature.

S.C.R. 96, Recommending a monument for the State Cemetery honoring Susanna Dickinson.

S.C.R. 97, Commending the Railroad Commission for its action with regard to distributions of LPG products.

S.C.R. 91, Granting Ethel and Edith Cavitt permission to sue the state.

S.C.R. 94, Recommending practical experience as substitute for formal education requirement for instructors of practical arts in post-secondary craft and industrial training programs.

S.C.R. 87, Relating to a joint study of prison system reform by the Senate and House of Representatives.

S.C.R. 89, Directing Legislative Property Tax Committee to obtain certain information from all taxing units.

S.C.R. 74, Clarifying the precise public use of the property at Congress and 11th Streets.

H.C.R. 223, Permitting the Conference Committee on H.B. 946 to add to its report certain matters which would otherwise be in violation of said rules.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

HOUSE CONCURRENT RESOLUTION 223 ON SECOND READING

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H.C.R. 223, To permit the Conference Committee on H.B. 946 to add to its report certain matters which would otherwise be in violation of said rules.

The resolution was read second time and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 200

Senator Ogg submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.

Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 200 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

COBB
LOMBARDINO
MALONEY
DOYLE
On the part of the House

OGG
MEIER
ADAMS
On the part of the Senate

The Conference Committee Report was filed with the Secretary of the Senate.

SENATE RESOLUTION ON FIRST READING

By unanimous consent, the following resolution was introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S.R. 922, Directing Senate Human Resources Committee to study the need for safeguards to protect the individual liberties of the people of Texas.
To Committee on Administration.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S.C.R. 45	S.B. 919
S.C.R. 124	S.B. 931
S.C.R. 125	S.B. 941
S.C.R. 126	S.B. 947
S.C.R. 130	S.B. 963
S.J.R. 1	S.B. 965
S.J.R. 26	S.B. 969
S.B. 12	S.B. 982
S.B. 162	S.B. 987
S.B. 166	S.B. 989
S.B. 185	S.B. 992
S.B. 202	H.C.R. 165
S.B. 219	H.B. 224
S.B. 260	H.B. 233
S.B. 305	H.B. 365
S.B. 335	H.B. 635
S.B. 882	H.B. 735
S.B. 358	H.B. 736
S.B. 915	H.B. 738

S. B. 447	H. B. 762
S. B. 491	H. B. 835
S. B. 504	H. B. 910
S. B. 900	H. B. 1111
S. B. 520	H. B. 1118
S. B. 622	H. B. 1201
S. B. 657	H. B. 1240
S. B. 659	H. B. 1519
S. B. 683	H. B. 1570
S. B. 692	H. B. 1588
S. B. 694	H. B. 1640
S. B. 701	H. B. 1670
S. B. 905	H. B. 1674
S. B. 768	H. B. 1682
S. B. 769	H. B. 1685
S. B. 778	H. B. 1687
S. B. 780	H. B. 1688
S. B. 791	H. B. 1696
S. B. 913	H. B. 1706
S. B. 805	H. B. 1710
S. B. 823	H. B. 1722
S. B. 837	H.J.R. 7
S. B. 878	S.J.R. 8 (Again Sent)

H.B. 568 (Signed subject to the provisions of Article III, Section 49-a of the Constitution of Texas)

H.B. 64

H.B. 877

RECESS

On motion of Senator Aikin the Senate at 12:03 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 946

Senator Aikin submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 946 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

HALE
HANNA
POERNER
McALISTER
KUBIAK
On the part of the House

AIKIN
CLOWER
SNELSON
MAUZY
SCHWARTZ
On the part of the Senate

The Conference Committee Report was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 447**

Senator Wallace submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 447 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

VON DOHLEN
WYATT
SULLIVANT
HENDRICKS
On the part of the House

WALLACE
SCHWARTZ
HARRIS
SANTIESTEBAN
HERRING
On the part of the Senate

The Conference Committee Report was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL 1463 DISCHARGED

Senator Sherman asked unanimous consent that the Conference Committee on H.B. 1463 be discharged.

There was no objection.

The Conference Committee was discharged.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 1**

Senator Mauzy submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 1 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

NUGENT
BALES
KASTER
BLYTHE
TEMPLE
On the part of the House

MAUZY
SANTIESTEBAN
BLANCHARD
MEIER
On the part of the Senate

The Conference Committee Report was filed with the Secretary of the Senate.

SENATE RESOLUTION ON FIRST READING

By unanimous consent, the following resolution was introduced, read first time and referred to the Committee indicated:

By Senator Wallace:

S.R. 923, Instructing the Intergovernmental Relations Committee of the Senate to continue their study and make reports as necessary.
To Committee on Administration.

**ADMINISTRATION COMMITTEE GRANTED PERMISSION
TO MEET WHILE THE SENATE IN SESSION**

On motion of Senator Hightower and by unanimous consent, the Administration Committee was granted permission to meet while the Senate was in Session.

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL 946 ADOPTED

Senator Aikin called from the President's Table the Conference Committee Report on H.B. 946. (The Conference Committee Report having been filed with the Senate today.)

Senator Moore raised the Point of Order that the Conference Committee Report could not be considered at this time as a section by section analysis as provided by Joint Rule 36 was not included.

The President overruled the Point of Order stating that the analysis had been on the Members desks since 12:00 o'clock noon, and did comply with the Joint Rule.

(Senator Sherman in Chair)

On motion of Senator Aikin, the Conference Committee Report was adopted by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Creighton, Harris, Herring, Jones, Mengden and Moore.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 21, Providing for a method of payment for the purpose of constructing, equipping, or acquiring buildings or other permanent improvement for the Texas A and M University System.

S.C.R. 131, Suspending the Joint Rules of the House and Senate.

S.C.R. 132, Suspending the Joint Rules to permit the Senate to take up H.B. 564.

S.C.R. 133, Suspending the Joint Rules to take up H.B. 1145.

S.C.R. 134, Suspending the Joint Rules to take up H.B. 925.

S.C.R. 136, Suspending the Joint Rules to take up H.B. 1521.

S.C.R. 138, Suspending the Joint Rules to take up H.B. 1162.

All necessary rules suspended, and the Conference Committee Report on Senate Bill 216 adopted by a non-record vote.

All necessary rules suspended, and the Conference Committee Report on Senate Bill 527 adopted by a non-record vote.

All necessary rules suspended, and the Conference Committee Report on Senate Bill 360 adopted by a non-record vote.

S.C.R. 129, Relating to the addition of new language in the Conference Committee Report on Senate Bill 360.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

HOUSE CONCURRENT RESOLUTION 175 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 175, Wishing Judge Robert Ewing Thomason a happy birthday.

The resolution was read.

On motion of Senator Moore and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Santiesteban, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 212 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 212, Extending congratulations to Mrs. Maureen Amis.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 200

Senator Ogg called from the President's Table the Conference Committee Report on H.B. 200. (The Conference Committee Report having been filed with the Senate today.)

Senator Creighton raised the Point of Order, copies of the Conference Committee Report were not on the Members' desks.

The President sustained the Point of Order.

On motion of Senator Ogg and by unanimous consent, consideration of H.B. 200 was postponed until copies are available.

REPORTS OF STANDING COMMITTEE

By unanimous consent, Senator Hightower submitted the following reports for the Committee on Administration.

H.C.R. 219
S.R. 922
H.B. 1145
H.B. 1502
H.B. 1387 (Amended)

HOUSE CONCURRENT RESOLUTION 219 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 219, Directing Enrolling and Engrossing Clerk of the House to make corrections in H.B. 103.

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE CONCURRENT RESOLUTION 142

Senator Brooks offered the following resolution:

S.C.R. 142, Suspending Joint Rules to permit Senate to consider H.B. 1502 at any time.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

HOUSE BILL 1666 RE-REFERRED

On motion of Senator Schwartz and by unanimous consent, H.B. 1666 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Administration.

SENATE RESOLUTION 929

Senator Herring offered the following resolution:

WHEREAS, The Board of Regents of the University of Texas System now owns certain property in the City of Austin, Texas, situated between Lake Austin Boulevard and Lake Austin and situated immediately north of the General Office of the Lower Colorado River Authority; and

WHEREAS, The Lower Colorado River Authority is desirous of obtaining all or part of such property for the purpose of expanding its administrative facilities which are located immediately adjacent thereto; and

WHEREAS, The Lower Colorado River Authority owns various tracts of land which could be better utilized by the Board of Regents of The University of Texas System for purposes related to the operation of The University of Texas at Austin; now, therefore, be it

RESOLVED by the Senate of the State of Texas that the Board of Regents of The University of Texas System be authorized to exchange all or any part of the property which it owns in the City of Austin, Texas, situated between Lake Austin Boulevard and Lake Austin and situated immediately north of the General Office of the Lower Colorado River Authority, for property or properties now owned by the Lower Colorado River Authority whenever, in the opinion of the Board of Regents of The University of Texas System, the exchange of such properties is in the best interest of The University of Texas at Austin.

The resolution was read and was adopted.

SENATE RESOLUTION 928

Senator McKinnon offered the following resolution:

WHEREAS, The Senate of the State of Texas is honored today by the presence of Ricardo "Tati" Santiesteban; and

WHEREAS, Ricardo is in the Capital City to observe the Texas Legislature in Regular Session; now, therefore, be it

RESOLVED, That the Senate of the State of Texas bestow on Ricardo the position of "Honorary Page" for the day; and, be it further

RESOLVED, That a copy of this Resolution, bearing the seal of the Senate be prepared for Ricardo as a memento of his visit in the Texas Senate.

The resolution was read and was adopted.

AT EASE

The Senate at 3:00 o'clock p.m. stood At Ease Subject to Call of the Chair.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 4:10 o'clock p.m. today.

AT EASE

The Senate at 4:11 o'clock p.m. Stood At Ease until 4:25 o'clock p.m. today.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 4:25 o'clock p.m. today.

REPORT OF STANDING COMMITTEE

Senator Hightower submitted the following report for the Committee on Administration:

H.B. 1666

HOUSE BILL 925 ON SECOND READING

On motion of Senator Adams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 925, A bill to be entitled An Act appropriating funds to Mexia State School and Rusk State Hospital under the Department of Mental Health and Mental Retardation; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 925 ON THIRD READING

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 925 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill 200 by a vote of 114 Ayes, 30 Noes.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

CONFERENCE COMMITTEE REPORT ON SENATE BILL 60

Senator Ogg submitted the following Conference Committee Report:

Austin, Texas
May 26, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 60 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

OGG

SCHWARTZ
TRAEGER
WOLFF

On the part of the Senate

FOREMAN
LELAND
GEIGER
MATTOX

On the part of the House

S.B. 60,

A BILL

TO BE ENTITLED

An Act relating to days designated as legal holidays; amending Article 4591, Revised Civil Statutes of Texas, 1925, as amended; amending Section 2, Chapter 230, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 342-910a, Vernon's Texas Civil Statutes); providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 4591, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Article 4591. ENUMERATION. The first day of January, the 19th day of January, the third Monday in February, the second day of March, the 21st day of April, the last Monday in May, the fourth day of July, the 27th day of August, the first Monday in September, the second Monday in October, the fourth Monday in October, the fourth Thursday in November, and the 25th day of December, of each year, and every day on which an election is held throughout the state, are declared legal holidays, on which all the public offices of the state may be closed and shall be considered and treated as Sunday for all purposes regarding the presenting for the payment or acceptance and of protesting for and giving notice of the dishonor of bills of exchange, bank checks and promissory notes placed by the law upon the footing of bills of exchange. The nineteenth day of January shall be known as 'Confederate Heroes Day' in honor of Jefferson Davis, Robert E. Lee and other Confederate heroes."

Sec. 2. This Act takes effect August 27, 1973.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force as provided by Section 4, and it is so enacted.

The Conference Committee Report was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 52

Senator Mauzy submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.

Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on S.B. 52 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

MAUZY
SCHWARTZ
WOLFF
OGG
MEIER
On the part of the Senate

HALE
PARKER
BOCK
RUSSELL
On the part of the House

S.B. 52,

A BILL

TO BE ENTITLED

An Act relating to the creation of certain new judicial districts; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), by adding Sections 3.030-3.032 and Sections 3.034-3.043; prescribing additional jurisdiction for certain of the courts; amending Section 2, Chapter 337, Acts of the 54th Legislature, Regular Session, 1955 (Article 199, Subdivision 38 (2), Vernon's Texas Civil Statutes), relating to the Second Thirty-eighth Judicial District; prescribing effective dates; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), is amended by adding Sections 3.030-3.032 to read as follows:

"Section 3.030. (a) The 203rd Judicial District, composed of the County of Dallas, is hereby created.

"(b) The 203rd District Court shall give preference to criminal cases.

"Section 3.031. (a) The 204th Judicial District, composed of the County of Dallas, is hereby created.

"(b) The 204th District Court shall give preference to criminal cases.

"Section 3.032. (a) The 205th Judicial District, composed of the County of El Paso, is hereby created.

"(b) The 205th District Court shall give preference to criminal cases."

Sec. 2. Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), is amended by adding Sections 3.034-3.035 to read as follows:

"Section 3.034. The 206th Judicial District, composed of the County of Hidalgo, is hereby created.

"Section 3.035. (a) The 207th Judicial District, composed of the Counties of Comal, Hays, and Caldwell, is hereby created.

"(b) The 207th District Court shall have the same jurisdiction in Comal County as the 22nd District Court has in Comal County and shall give preference to

criminal cases in Caldwell, Comal, and Hays Counties. In addition to the jurisdiction prescribed by the constitution and laws of this state for district courts, the 207th District Court shall also have and exercise concurrent jurisdiction with the County Court of Caldwell County over all matters of original and appellate criminal jurisdiction in causes over which under the constitution and laws of this state the County Court of Caldwell County has jurisdiction."

Sec. 3. Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), is amended by adding Sections 3.036-3.040 to read as follows:

"Section 3.036. (a) The 208th Judicial District, composed of the County of Harris, is hereby created.

"(b) The 208th District Court shall give preference to criminal cases.

"Section 3.037. (a) The 209th Judicial District, composed of the County of Harris, is hereby created.

"(b) The 209th District Court shall give preference to criminal cases.

"Section 3.038. The 210th Judicial District, composed of the County of El Paso, is hereby created.

"Section 3.039. The 211th Judicial District, composed of the County of Denton, is hereby created.

"Section 3.040. The 212th Judicial District, composed of the County of Galveston, is hereby created."

Sec. 4. Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), is amended by adding Sections 3.041-3.042 to read as follows:

"Section 3.041. The 213th Judicial District, composed of the County of Tarrant, is hereby created.

"Section 3.042. (a) The 214th Judicial District, composed of the County of Nueces, is hereby created.

"(b) The 214th District Court shall give preference to criminal cases."

Sec. 5. Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), is amended by adding Section 3.043 to read as follows:

"Section 3.043. (a) The 215th Judicial District, composed of Harris County, is created.

"(b) The 215th District Court shall give preference to civil matters."

Sec. 6. Section 2, Chapter 337, acts of the 54th Legislature, Regular Session, 1955 (Article 199, Subdivision 38 (2), Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 2. The name of the Second Thirty-eighth Judicial District of Texas is hereby changed to the 216th Judicial District of Texas.

"The 216th Judicial District shall be composed of the Counties of Kerr, Bandera, Kendall, Kimble, Gillespie, and Sutton, and the terms of the district court shall be held therein as follows:

"In Kerr County, beginning on the first Monday in January and June.

"In Bandera County, beginning on the first Monday in February and September.

"In Kendall County, beginning on the fourth Monday in February and September.

"In Kimble County, beginning on the third Monday in March and October.

"In Gillespie County, beginning on the second Monday in April and November.

"In Sutton County, beginning on the first Monday in May and December.

"Each term of court in each of such counties shall continue until the date herein fixed for the beginning of the next succeeding term. The judge of the district may hold as many sessions of court during each term as is deemed proper and expedient for the dispatch of business.

"All grants, emoluments and memberships now pertaining to the Second Thirty-eighth Judicial District are hereby reserved and transferred to the 216th Judicial District."

Sec. 7. (a) The provisions of Section 1, 2, and 6 of this Act take effect September 1, 1973.

(b) The provisions of Section 3 of this Act take effect January 1, 1974.

(c) The provisions of Section 4 of this Act take effect January 1, 1975.

(d) The provisions of Section 5 of this Act take effect January 20, 1975.

Sec. 8. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The Conference Committee Report was filed with the Secretary of the Senate.

SENATE CONCURRENT RESOLUTION 140

Senator Brooks offered the following resolution:

S.C.R. 140, Suspending Joint Rules to permit Senate to consider H.B. 1536 at any time.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE CONCURRENT RESOLUTION 143

Senator Schwartz offered the following resolution:

S.C.R. 143, Suspending Joint Rules to permit the Senate to consider H.B. 1666 at any time.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and filed with the Secretary of the Senate:

Austin, Texas
May 28, 1973

On May 26, 1973 I returned to the Senate without signature S.B. 295 because of the glaring inequities contained within that bill. As was stated in that message I am well aware that a number of county attorneys included in Senate Bill 295

actually perform the duties of a District Attorney, and that Senate Bill 295 was designed to provide adequate salaries for those officials. Unfortunately this bill included a number of other county attorneys who I felt were not entitled to compensation as a district attorney because of the paucity of their duty in connection with felony prosecution.

It has been called to my attention that House Bill 1061 which now lies on the table of the House is a bill similar to S.B. 295 and does not have the objectionable provisions which S.B. 295 had within it.

I therefore submit for your consideration as emergency legislation the enactment of H.B. 1061 as it now exists.

Respectfully submitted,
DOLPH BRISCOE
GOVERNOR OF TEXAS

HOUSE BILL 564 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 564, A bill to be entitled An Act relating to the date that sales and use taxes are due in a case where the taxpayer owes more than \$750 in any one month; amending Section (A), Article 20.05, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; providing an effective date; and declaring an emergency.

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H.B. 564 by adding at the end of Section 1, quoted Section A of Article 20.05 the following:

"If such tax is prepaid the taxpayer shall not be required to file monthly reports but may file quarterly reports as provided herein."

The amendment was read and was adopted.

RECORD OF VOTE

Senator Herring asked to be recorded as voting "Nay" on the adoption of the amendment.

On motion of Senator Moore and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

HOUSE BILL 564 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, Mauzy,

McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Wallace and Wolff.

Nays: Harris, Herring and Traeger.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Blanchard, Moore, Herring and Harris asked to be recorded as voting "Nay" on the final passage of the bill.

HOUSE BILL 1162 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1162, A bill to be entitled An Act relating to transportation costs for certain vocational education students; amending Section 16.56, Texas Education Code, as amended, by adding Subsection (h); and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 1162 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1162 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Bracklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Bracklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE RESOLUTION 931

Senator Adams offered the following resolution:

WHEREAS, The Senate of the 63rd Legislature has been a functional and productive body passing 810 bills; and

WHEREAS, Of this number, 634 have been passed on the Local and Uncontested Calendar; and

WHEREAS, Meeting every Thursday morning at 8:30, a routine has been established for a smooth accomplishment of passing local bills which resulted in a minimized session-end log-jam; and

WHEREAS, The success of the local calendar must be attributed to the finesse and fast-talk of Senator Jack Hightower, the presiding officer over the local calendar sessions; and

WHEREAS, The Senator from Wilbarger could not depart from his early childhood and Baptist upbringing. Indeed, the fast-talking of the early Baptist revivals and church business meetings were strikingly brought to mind in these quick moving and fast gaveled sessions; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature of Texas pay tribute, give recognition and extend appreciation to Senator Jack Hightower for the fair and impartial way he conducted the business of the local calendar.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Adams, the resolution was adopted.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 52 ADOPTED

Senator Mauzy called from the President's Table the Conference Committee Report on S.B. 52. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Mauzy, the Conference Committee Report was adopted.

RECORD OF VOTE

Senator Jones asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 200 ADOPTED

Senator Ogg called from the President's Table the Conference Committee Report on H.B. 200. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Ogg, the Conference Committee Report was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Gammage, Jones, Mauzy and Wallace.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 447 ADOPTED

Senator Wallace called from the President's Table the Conference Committee Report on H.B. 447. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Wallace, the Conference Committee Report was adopted by the following vote: Yeas 24, Nays 7.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Adams, Blanchard, Hightower, Kothmann, McKnight, Moore and Patman.

SENATE CONCURRENT RESOLUTION 144

Senator Santiesteban offered the following resolution:

S.C.R. 144, Directing the Board of Pardons and Paroles to review case files of all individuals currently serving penitentiary sentences for possession of marijuana.

The resolution was read.

On motion of Senator Santiesteban and by unanimous consent, the resolution was considered immediately and was adopted.

(President Pro Tempore in Chair)

BILLS AND RESOLUTIONS SIGNED

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. 872	H. B. 866
H. B. 91	H. B. 1072
H. B. 1196	H. B. 1216
H. B. 1165	H. B. 1109
H. B. 1648	H. B. 617
H. B. 1553	H. B. 791
H. B. 1691	H. B. 802
H. B. 739	H. B. 823
H. B. 766	H. B. 825
H. B. 845	H. B. 832
H. B. 1048	H. B. 550
H. B. 576	H. B. 702
H. B. 727	H. B. 692
H. B. 255	H. B. 1651
H. B. 780	H. B. 1681
H. B. 922	H. B. 1467
H. B. 482	H. B. 1477
H. B. 1704	H. B. 1364
H. B. 1573	H. B. 1618
H. B. 1574	H. B. 1647
H. B. 1576	H. B. 1515
H. B. 1615	H. B. 1234
H. B. 1524	H. B. 1251
H. B. 383	H. B. 1700
H. B. 1496	H. B. 1718
H. B. 339	H. B. 1451
H. B. 740	H. B. 1684

H. B. 1749	H. B. 1520
H. B. 1182	H. B. 705
H. B. 379	H. B. 859
H. B. 128	H. B. 1683
H. B. 1635	H. B. 548
H. B. 1610	H. B. 844
H. B. 1629	H. B. 618
H. B. 1658	H. B. 950
H. B. 1667	H. B. 411
H. B. 1660	H. B. 803
H. B. 685	H. B. 1633
H. B. 974	H. B. 935
H. B. 331	H. B. 1686
H. B. 1353	H. B. 1481 (Again signed)
H. B. 865	H.C.R. 194
H. B. 1184	H.C.R. 193
H. B. 1422	H.C.R. 162
H. B. 1485	H.C.R. 161
H. B. 1730	H.C.R. 185
H. B. 1654	H.C.R. 198
H. B. 1624	H.C.R. 210
H. B. 1591	H.C.R. 160
H. B. 1589	H.C.R. 155
H. B. 1531	H.C.R. 135
H. B. 340	H.C.R. 129
H. B. 127	H.C.R. 95
H. B. 133	H.C.R. 44
H. B. 181	H.C.R. 99
H. B. 1179	H.C.R. 174
H. B. 1183	H.C.R. 76
H. B. 1188	H.C.R. 181
H. B. 854	

CONFERENCE COMMITTEE REPORT ON SENATE BILL 60 ADOPTED

Senator Ogg called from the President's Table the Conference Committee Report on S.B. 60. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Ogg, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill 1 by a vote of 145 Ayes, 2 Noes.

S.C.R. 142, Suspending the Joint Rules to take up H.B. 1502.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

REPORT OF SELECT COMMITTEE

The following Report of Select Committee was read and filed with the Secretary of the Senate:

AMENDED SELECT COMMITTEE REPORT

Amend Select Committee Report by deleting the name of Ancel E. Nunn to be Alternate State Artist for the year beginning May 1, 1974, and ending April 30, 1975, and insert in lieu thereof Bette Lou Voorhis.

Done in Austin, Texas, this the 28th day of May, 1973.

SEN. TOM CREIGHTON
SEN. CHARLES HERRING
REP. W. G. "BILL" COODY
REP. BILLY WILLIAMSON
SEC. OF STATE MARK WHITE, JR.
REPRESENTING THE GOVERNOR

(President in Chair)

HOUSE BILL 1502 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1502, A bill to be entitled An Act relating to the establishment, powers, duties, and functions of a division of environmental study and coordination in the governor's office; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 1502 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1502 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM FOR THE REGULAR SESSION OF THE SIXTY-THIRD LEGISLATURE

The President announced the election of the President Pro Tempore Ad Interim as the next order of business.

Senator Creighton nominated Senator O. H. "Ike" Harris of Dallas as President Pro Tempore Ad Interim of the Regular Session of the Sixty-third Legislature.

Senators Moore, Herring, Schwartz, Mauzy, Andujar, Aikin, Wallace and Sherman seconded the nomination.

There being no further nominations, the President appointed Senators Blanchard and Jones as tellers to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Harris had received 30 votes with one present and not voting for President Pro Tempore Ad Interim of the Regular Session of the Sixty-third Legislature and declared him duly elected.

Senators Creighton, Braecklein, Andujar, Mengden and Mauzy were appointed to escort Senator Harris and his wife, Ann, to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore Ad Interim of the Sixty-third Legislature to Senator Harris.

The President then presented Senator Harris to the Senate as their President Pro Tempore Ad Interim.

President Pro Tempore Ad Interim Harris addressed the Senate, expressing deep appreciation to each of the Members for the honor bestowed upon him and his family and thanked them for the kind remarks and for their friendship.

SENATE RESOLUTION 930

(Caucus Report)

Senator Aikin offered the following resolution:

Honorable William P. Hobby
President of the Senate
Austin, Texas

Sir:

At a caucus held on May 28, 1973, and attended by 31 members of the Senate, the following recommendations were made, to wit:

BE IT RESOLVED BY THE SENATE:

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and in addition thereto he and the Secretary of the Senate shall be

furnished postage, telegraph, telephone, express and all other expenses incident to their respective offices.

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature. The Secretary of the Senate may employ such employees as are necessary for the operation of his office and to perform duties as may be required in connection with the business of the State from the closing of this session and until the convening of the next session.

The Sergeant-at-Arms shall be retained and a number of assistants as necessary in the operation of the Senate until the convening of the next session.

The Administration Chairman is authorized to retain a sufficient number of staff employees to conclude the work of the Enrolling Room, Staff Services Room, Calendar Clerk and Journal Clerk. The Committee on Administration shall establish the salaries to be paid the Senate Staff.

The Chairman of the Senate Committee on Administration is hereby authorized and directed to cause the Senate Chamber to be placed in order and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature and make an inventory of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms and close his books for the Regular Session of the 63rd Legislature. No equipment shall be acquired on a rental-purchase plan unless such equipment be placed on the Senate inventory at the termination of such plan. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Administration Committee shall be entitled to receive his actual and necessary expenses incurred during the interim; and be it further

RESOLVED, That there shall be printed 325 volumes of the Senate Journal for the Regular Session of the 63rd Legislature and when complete 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and the House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. The printing of such journals shall be done in accordance with the provisions of this Resolution under the supervision of the Chairman of the Committee on Administration; provided, further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing laws as finally approved by the Chairman of the Committee on Administration of the Senate. When the accounts have been certified by the Chairman of the Committee on Administration of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the 63rd Legislature, and, be it further

RESOLVED, That all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and Contingent Expense Fund of the 63rd Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, members of the Senate, and employees of the Senate committees upon presentation of a payroll account signed by the President of the Senate and the Secretary of the Senate; for payment of employees of the Senate, except as provided in Section 20 of the Legislative Reorganization Act (Article 5429f, Vernon's Texas Civil Statutes), upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies and expenses of the Senate, including travel expenses for members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate; and, be it further

RESOLVED, That in furtherance of the Legislative duties and responsibilities of the Senate, the Administration Committee is hereby authorized and directed to

charge to the individual members' office budget as hereinafter authorized; (1) reimbursement of all actual expenses incurred by the members when traveling in performance of such duties and responsibilities or incident thereto, and (2) payment of all other reasonable and necessary expenses for the operation of the office of the individual Senator during any period the Legislature is not in session. Expenditures for these services by the Administration Committee as hereby authorized as an expense of the Senate shall not be restricted to Austin, but may be incurred in individual Senatorial Districts. Such expenses shall be paid from funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Administration Committee and the Secretary of the Senate in accordance with regulations governing such expenditures; and, be it further

RESOLVED, That for the time period from the end of the Regular Session until the convening of the Constitutional Convention in January of 1974, each Senator shall be permitted to employ secretarial and other office staff at a maximum payroll of \$2,800.00 per month under the classification schedule hereinafter provided. Other expenses including actual travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of his office or incident thereto shall be provided in addition to the maximum salary authorized; and, be it further

RESOLVED, That during the time the Constitutional Convention is convened all salary and other expenses authorized shall be continued except that the maximum payroll amount permitted shall be \$5,000.00 per month. This figure shall be inclusive of whatever amount for salary is appropriated by the Constitutional Convention; and, be it further

RESOLVED, For the period of time from the end of the Constitutional Convention until the convening of the 64th Legislature, Regular Session, each Senator shall be permitted to employ Secretarial and other office staff at a maximum payroll of \$2,800.00 per month and other expenses as provided for the period from the end of the Regular Session to the convening of the Constitutional Convention.

It is further recommended that each employee of the Senate except elected officers be classified and paid pursuant to the following schedule to include salary changes made by the General Appropriations Act:

Title	Class No.	Group	Salary and Step Range
Clerk I	0051	02	360(1) - 372(2) - 384(3)
Messenger	0011	02	397(4) - 410(5) - 424(6)
Clerk Typist II	0106	04	410(1) - 424(2) - 438(3)
Stenographer I	0126	04	453(4) - 468(5) - 484(6)
Secretary II	0133	05	500(5) - 517(6) - 534(7)
Secretary III	0135	07	571(5) - 590(6) - 610(7)
Admin. Sec.	0138	09	673(5) - 696(6) - 719(7)
Info. Spec. I	1892	14	848(1) - 876(2) - 906(3)
Admin. Tech. I	1501	08	630(5) - 651(6) - 673(7)
Admin. Tech. II	1502	11	743(4) - 768(5) - 794(6)
Admin. Tech. III	1503	13	848(3) - 876(4) - 906(5)
Admin. Tech. IV	1504	15	968(3) - 1000(4) - 1034(5)
Info. Spec. II	1893	16	1000(2) - 1034(3) - 1068(4)
Attorney III	3533	17	1034(1) - 1068(2) - 1104(3)

Employees who do not readily fit one of the above classified positions may be assigned a title under the General Classified Positions outline in the General Appropriations Act upon authorization of the Administration Committee; and, be it further

RESOLVED, That the Lieutenant Governor shall have the authority to appoint any member of the Senate, the Secretary of the Senate or other Senate employees to attend National Legislative Conferences and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Administration Committee and the Secretary of the Senate; and, be

it further

RESOLVED, That the Chairman of the Finance Committee have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee; and, be it further

RESOLVED, That each of the Standing Committees and Subcommittees of the Senate of the 63rd Legislature be authorized to continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, initiate legislation and perform research on matters directed either by resolution, the Lieutenant Governor or as determined by majority vote of each committee. Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable. Expenses for the operation of these committees and subcommittees are hereby authorized to be paid pursuant to a budget prepared by each committee and approved by the Administration Committee; and, be it further

RESOLVED, That the cash balance on hand under the provisions of Senate Resolution No. 15 of the 47th Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said Resolution; and, be it further

RESOLVED, That the Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber or the rooms of the Senate except as authorized by the Chairman of the Administration Committee.

Respectfully submitted,

A. M. Aikin, Jr.
Chairman of the Caucus

Charles Herring
Secretary of the Caucus

The resolution was read and was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Andujar, Blanchard, Brooks, Clower, Gammage, Harrington, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Traeger, Wallace and Wolff.

Nays: Adams, Aikin, Braecklein, Creighton, Harris, Herring, Hightower, Jones, Moore, Patman, Sherman and Snelson.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 4

Senator Meier submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 4, have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

BYNUM
MILLER
CRADDICK
LARY
PRESTON
On the part of the House

MEIER
SCHWARTZ
BROOKS
WOLFF
SNELSON
On the part of the Senate

The Conference Committee Report was read and filed with the Secretary of the Senate.

(Senator Meier in Chair)

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Motion to discharge conferees on H.B. 1463 prevailed and, the House has concurred in Senate amendments to H.B. 1463 by a non-record vote.

H.C.R. 222, Recognizing June 22, 1973 as Henry Sanchez Day in Brownsville, Texas.

The House has concurred in Senate amendments to H.B. 564 by a non-record vote.

The House has adopted the Conference Committee Report on Senate Bill 52 by voice vote.

S.C.R. 75, Relating to the Attorney General collecting and maintaining an evidence bank of testimony from persons with knowledge of public use of the beaches of this state during the early years of this century and before.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

CONFERENCE COMMITTEE ON SENATE BILL 721 DISCHARGED

Senator Brooks asked unanimous consent that the Conference Committee on S.B. 721 be discharged.

There was no objection and the Conference Committee was discharged.

Senator Brooks moved to concur in House Floor Amendment No. 7 to S.B. 721 and that the Senate not concur in the balance of the House Amendments but requests a Conference Committee to adjust those differences.

Senator Blanchard raised the Point of Order that the motion of the Senator from Harris, Senator Brooks, to selectively concur in House Amendments is not a proper motion; that under Rule 21 it is not susceptible to division.

The President overruled the Point of Order, stating: "The Senator from Lubbock rises to the Point of Order that the motion to concur in one amendment and not in others is not divisible under Rule 21, and the Senator from Lubbock is quite correct in that respect. Senate Rule 50, however, provides that when Senate Rules are silent, as in this matter, the President of the Senate shall decide on all questions not provided for by the Standing Rules of Order of the Senate or the Joint Rules of Order of both branches of the Legislature. According to parliamentary practices laid down by approved authors, subject to appeal of the entire Senate as in other cases, the most usual precedents being the Congressional precedents as recited in Hines' Precedents and in the Cannon's Precedents, it is Congressional precedent to divide the question of concurring in amendments. The Point of Order is overruled."

NEW CONFERENCE COMMITTEE APPOINTED ON SENATE BILL 721

Senator Brooks moved that the Senate concur in House amendment No. 7 and do not concur in the other House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S.B. 721 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Brooks, Santiesteban, Longoria, Clower and Herring.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1 ADOPTED

Senator Mauzy called from the President Table the Conference Committee Report on H.B. 1. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Mauzy, the Conference Committee Report was adopted by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Jones, Moore and Wallace.

Absent: McKnight.

REASON FOR VOTE

I would like to take this opportunity to set out the basic reason why I voted against accepting the Conference Committee Report on House Bill 1.

This bill proceeds on the theory that the citizens of Texas have gone to the polls and elected basically dishonest people to serve as their public officials. I give the people in my district and in the State of Texas more credit than this bill would give them.

There may be, as some state, a "crisis in confidence" in relation to some areas of government and the people, but I trust our system of election and the judgment of our people. We cannot elevate the level of fairness and honesty of our officials by treating them with basic mistrust and suspicion.

I trust the people of Texas and resent this presumption of dishonesty.

WALLACE

RECESS

On motion of Senator Aikin the Senate at 6:43 o'clock p.m. took recess until 8:30 o'clock p.m. today.

After Recess

The Senate met at 8:30 o'clock p.m. and was called to order by the President Pro Tempore.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on H.B. 447 by a vote of 84 Ayes, 58 Noes.

S.C.R. 111, Expressing thanks and appreciation to the Texas Academy of Family Physicians, Texas Medical Assn., Dept. of Public Welfare, Dr. Lamar McNew, Nurse Vera Taylor and participating physicians of TAFP.

S.C.R. 140, Suspending the Joint Rules to take up H.B. 1536.

S.C.R. 143, Suspending the Joint Rules to take up H.B. 1666.

H.C.R. 228, Suspending the Joint Rules to take up S.B. 994.

H.C.R. 227, Suspending the Joint Rules to permit both Houses to take up H.B. 222.

H.C.R. 225, Suspending the Joint Rules to permit both houses to take up H.B. 1061.

Respectfully submitted,
DOROTHY HALLMAN

Chief Clerk, House of Representatives

AT EASE

The Senate at 8:23 o'clock p.m. Stood At Ease Subject to Call of the Chair.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 8:58 o'clock p.m. today.

**HOUSE CONCURRENT RESOLUTION 225
ON SECOND READING**

The President laid before the Senate the following resolution:

H.C.R. 225, Suspending Joint Rules to permit consideration of H.B. 1061.

The resolution was read.

On motion of Senator McKnight and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

**HOUSE CONCURRENT RESOLUTION 228
ON SECOND READING**

The President laid before the Senate the following resolution:

H.C.R. 228, Suspending Joint Rules to permit consideration of S.B. 994.

The resolution was read.

On motion of Senator Sherman and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE RESOLUTION 922 ON SECOND READING

The President laid before the Senate the following resolution:

S.R. 922, Directing the Human Resources Committee to study needs for safeguards to protect individual liberties of people of Texas.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 264**

Senator Ogg submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 264 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

HALE
SULLIVANT
JONES
LARY
PRESTON
On the part of the House

OGG
HERRING
SANTIESTEBAN
LONGORIA
On the part of the Senate

The Conference Committee Report was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 4 ADOPTED**

Senator Meier called from the President's Table the Conference Committee Report on H.B. 4. (The Conference Committee Report having been filed with the Senate today.)

On motion of Senator Meier, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

HOUSE BILL 1666 ON SECOND READING

Senator Schwartz moved to suspend the regular order of business and take up H.B. 1666 for consideration at this time.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Braecklein, Mengden and Patman.

The President laid before the Senate on its second reading and passage to third reading:

H.B. 1666, A bill to be entitled An Act relating to the punishment for contempt in justice and municipal courts; amending Section 2, Chapter 831, Acts of the 62nd Legislature, Regular Session, 1971 (Article 1911a, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 1666 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1666 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Braecklein, Moore and Patman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE CONCURRENT RESOLUTION 145

Senator Brooks offered the following resolution:

S.C.R. 145, Directing the Engrossing and Enrolling Clerk to return H.B. 482 to Senate for further consideration.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE RESOLUTION 933

Senator Mengden offered the following resolution:

WHEREAS, Mrs. Marilyn Schwartz, charming hostess, efficient presiding officer, and lovely wife of Senator A. R. "Babe" Schwartz, has led the Senate Ladies Club through one of the group's most successful periods of accomplishment during her tenure as club president; and

WHEREAS, Despite running a busy household in Galveston, fulfilling the demands of an always crowded schedule of civic and social activities, and giving vent to her artistic talents, Marilyn Schwartz has been able to bring to the Senate Ladies Club the enthusiasm and capability which have made her term of service memorable; and

WHEREAS, Marilyn is the mother of four boys: twins, Dickie and Bobby, both of whom have just completed their sophomore years at The University of Texas and at the University of California in San Diego; and younger sons, Johnny, who has just completed the 10th grade at Ball High School in Galveston, and Tommy, who has just completed the 7th grade, all with high scholastic averages; and

WHEREAS, Marilyn is one of the most popular and attractive of Senate wives, attributable in large measure to the vital interest she has in everything around her; if one single word were used to describe Marilyn, it would probably be the word "giving", because she gives herself wholeheartedly to community and religious school projects in Galveston, to her artistic talent, to her family, and finally, to her official duties during her presidency of the Senate Ladies Club; and

WHEREAS, It is appropriate that the Senate of the 63rd Legislature of the State of Texas recognize Mrs. A. R. (Marilyn) Schwartz for her distinguished contributions to the Texas official family; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature of the State of Texas express appreciation to Mrs. A. R. (Marilyn) Schwartz for her distinguished leadership as president of the Senate Ladies Club, and for representing the Texas official family with poise, distinction, and exceptional ability; and, be it further

RESOLVED, That official copies of this Resolution, under the Seal of the Senate, be prepared for Mrs. Marilyn Schwartz and for her mother, Mrs. Julius Cohn of Austin, who deserves a great deal of the credit for her daughter's outstanding capabilities.

The resolution was read and was adopted.

HOUSE BILL 1145 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1145, A bill to be entitled An Act relating to the salary of certain assistant county superintendents; amending Subsection (a), Section 17.52, Texas Education Code, as amended; and declaring an emergency.

The bill was read second time and was passed to third reading.

RECORD OF VOTES

Senators Moore, Ogg, Patman and Mengden asked to be recorded as voting "Nay" on the passage of the bill to third reading.

HOUSE BILL 1145 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1145 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Adams, Andujar, Bracklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, McKinnon, McKnight, Meier, Mengden, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Aikin, Longoria, Mauzy, Moore, Ogg and Patman.

Absent: Blanchard.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE RESOLUTION 934

Senator Aikin offered the following resolution:

WHEREAS, On the 1st day of June 1973 the genial Senator from Travis will celebrate another birthday; and

WHEREAS, Since January 8, 1957, when Senator Charles Herring took the oath of office to represent Senatorial District 14, the people of his district, as well as the entire State of Texas, have enjoyed a quality of representation that is a clear reflection of the best interests of the people and the integrity and dedication of their Senator; and

WHEREAS, His quiet demeanor, keen mind, and dry wit have been of great help to many freshman Senators who have come to rely on him for his counsel and encouragement; and

WHEREAS, A major committee chairman, he set a standard for excellence not only by the quantity and quality of the work accomplished but by the unfailing courtesy, fairness, patience, and deep sense of responsibility which he brought to all of the committee's proceedings; and

WHEREAS, He and his lovely wife, Doris are not only among the most popular members of the Senate family but have also been most warm and gracious in their unparalleled hospitality during our sojourns in Austin; now, therefore, be it

RESOLVED, That we, the members of the Senate of the 63rd Legislature, express our admiration and friendship and best wishes for many happy birthdays for the Senator from Travis and our pride and pleasure in the association we have had with him in the service of the State of Texas.

AIKIN
HIGHTOWER
CREIGHTON

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin, the resolution was adopted.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S.C.R. 21
S.C.R. 74
S.C.R. 75
S.C.R. 87

S.C.R. 136
S.C.R. 138
S.C.R. 142
S.C.R. 111

S.C.R. 89	S.C.R. 140
S.C.R. 91	S.C.R. 143
S.C.R. 94	S.B. 11
S.C.R. 96	S.B. 14
S.C.R. 97	S.B. 52
S.C.R. 101	S.B. 60
S.C.R. 102	S.B. 360
S.C.R. 129	S.B. 388
S.C.R. 131	S.B. 527
S.C.R. 132	S.B. 983
S.C.R. 133	S.C.R. 134
S.B. 216 (Again sent)	

(Senator Hightower in Chair)

SENATE RESOLUTION 935

Senator Aikin offered the following resolution:

WHEREAS, The 63rd Session of the Texas Legislature has seen the passage of much important legislation which reflects the will and voice of the people; and

WHEREAS, The significant achievements and accomplishments of this session would not have been possible without the firm yet impartial leadership of the President of the Senate, Lieutenant Governor William P. Hobby; and

WHEREAS, Governor Hobby in a few short months has proven his effectiveness both in the chair and through the other activities of the Senate, and his leadership and communication with the members has been a significant key to the success of this Senate; and

WHEREAS, He has exhibited extraordinary understanding and willingness to assist the 30 men and one lady who constitute the Senate; now, therefore, be it

RESOLVED, By the Senate of the 63rd Legislature that Lieutenant Governor William P. Hobby be and he is commended for excellent work and service as presiding officer of this body and that he be extended our warmest admiration and appreciation.

AIKIN
BLANCHARD

The resolution was read.

On motion of Senator Moore and by unanimous consent, the names of the Senators were added to the resolution as signers thereof.

On motion of Senator Aikin, the resolution was adopted.

SENATE RESOLUTION 936

Senator Aikin offered the following resolution:

WHEREAS, Today marks the one hundred and sixth observance of Memorial Day; and

WHEREAS, This day has been observed since 1868, when General John A. Logan, Commander-in-Chief of the Grand Army of the Republic, issued an order designating the day as one in which soldiers' graves were to be decorated; and

WHEREAS, The people of Texas and of all the United States join today in celebrating our first peace-time Memorial Day in many years; and

WHEREAS, We daily enjoy the bounties of our American citizenship, recognizing that we have these bounties because many have sacrificed much; and

WHEREAS, We can never properly honor those who have died in the defense

of the United States of America, but we can never cease our sincere efforts to express our humble gratitude for their actions; now, therefore be it

RESOLVED, That the Senate of the State of Texas pause for a moment of silence to remember those of our comrades who have laid down their lives so that we might live ours in freedom and pledge our mutual efforts towards securing the right of future generations to celebrate every Memorial Day in a world of peace.

The resolution was read and was adopted by a rising vote of the Senate.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill 721. House Conferees: Mattox, Chairman; Ragsdale, Parker of Jefferson, Hutchison and Scoggins.

The House has failed to adopt the Conference Committee Report on House Bill 946 by a vote of 70 Ayes, 70 Noes.

Motion to reconsider the vote by which Conference Committee Report on H.B. 946 failed of adoption was tabled by record vote of 74 Ayes, 68 Noes, 1 Present-Not voting.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

HOUSE BILL 1387 ON SECOND READING

Senator Snelson asked unanimous consent to suspend the regular order of business and take up H.B. 1387 for consideration at this time.

There was objection.

Senator Snelson then moved to suspend the regular order of business and take up H.B. 1387 for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Tracger, Wallace and Wolff.

Nays: Moore.

The President laid before the Senate on its second reading and passage to third reading:

H.B. 1387, A bill to be entitled An Act relating to safety standards for the operation of school buses, amending Subsections (b) and (c), Section 21.170, Texas Education Code, and Section 3A, Chapter 280, Acts of the 53rd

Legislature, Regular Session, 1953 (Article 6701d-1, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Snelson offered the following Committee Amendment to the bill:

Amend House Bill 1387 by striking therefrom all below the enacting clause and substituting in lieu thereof the following:

Section 1. Subsection (a), Section 5, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 5. (a) No person who is under the age of eighteen (18) years shall drive any motor vehicle while in use as a school bus for the transportation of pupils to or from school, nor until he has been licensed as a chauffeur. It shall be unlawful for any person to be employed to drive a motor vehicle while in use as a school bus for the transportation of pupils who has not undergone a physical examination which reveals his physical and mental capabilities to safely operate a school bus. Such physical examinations shall be conducted annually for each driver, thereafter. A pre-employment driver license check shall have been made with the Texas Department of Public Safety prior to the employment and the person's driving record must be acceptable according to standards developed jointly by the Central Education Agency and the Texas Department of Public Safety. Effective at such date and under provisions as may be determined by the Central Education Agency, the driver of a school bus shall have in possession a certificate stating he is enrolled in, or has completed, a driver training course in school bus safety education, which course has been approved jointly by the Central Education Agency and the Texas Department of Public Safety. The bus driving certificate shall remain valid for a period of three years. It shall be unlawful for any person presently employed as a school bus driver to continue to drive a school bus who does not obtain a physical examination prior to the beginning of the 1973-74 school year and whose driver's license check has not been made by his employer prior to the 1973-74 school year. Such physical and driver's license examinations shall meet the criteria set forth in this Act."

Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

HOUSE BILL 1387 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1387 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann,

Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Moore.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**CONFERENCE COMMITTEE ON SENATE BILL 721
GRANTED PERMISSION TO MEET WHILE SENATE IN SESSION**

On motion of Senator Brooks and by unanimous consent, the Conference Committee on S.B. 721 was granted permission to meet while the Senate was in session.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill 4 by a vote of 141 Ayes, 4 Noes.

S.C.R. 145, Requesting the House to return H.B. 482 for further consideration.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE CONCURRENT RESOLUTION 146

Senator Longoria offered the following resolution:

S.C.R. 146, Suspending Joint Rules to permit consideration of H.B. 1282 at any time.

On motion of Senator Longoria and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 994, A bill to be entitled An Act amending Title 102, Revised Civil Statutes of Texas, "Oil and Gas", by adding a new Article, Article 6066e, relating to the duty of the Railroad Commission of Texas to protect the rights and interests of the consuming and purchasing public of Liquefied Petroleum Gas products in the production, manufacture, distribution and sale of such products for the geographical area where produced and manufactured; providing for hearings; prescribing the relationship of this Act to existing laws and regulations; and declaring an emergency. (With amendments)

H.B. 1061, A bill to be entitled An Act relating to compensation to certain counties in which either the county attorney or criminal district attorney performs the duties of a district attorney in addition to the duties of a county attorney or criminal district attorney; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

(Senator Blanchard in Chair)

**VOTE ON FINAL PASSAGE OF
HOUSE BILL 482 RECONSIDERED**

On motion of Senator Brooks and by unanimous consent, the vote by which H.B. 482 was finally passed was reconsidered.

Question, Shall H.B. 482 be finally passed?

Senator Brooks offered the following amendment to the bill:

Amend H.B. 482 by striking all below the enacting clause and substituting in lieu thereof the following:

An Act relating to the implementation of family planning services; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. **PURPOSE AND SHORT TITLE.** This Act shall be known and may be cited as the "Family Planning Services Act." Family planning services are declared to be essential to the health and welfare of the citizens of Texas. It is the policy of the State of Texas to make available family planning services to all who desire them.

Section 2. **DEFINITION.** As used in this Act, "family planning services" means services to prevent pregnancy, including: counseling and interviews with trained personnel regarding child spacing, infertility, and family planning methods and procedures; distribution of literature relating to child spacing, infertility, and family planning; referral to licensed physicians or locally available family planning service agencies for consultation, examination, tests, medical treatment, and prescriptions for the purposes of child spacing, infertility, and family planning.

Section 3. **ELIGIBILITY FOR SERVICES.** Within the limitations of the funds available, all relevant state agencies are hereby authorized to contract for family planning services according to procedures authorized under the laws of this State.

Section 4. **SERVICES WITHOUT CHARGE.** Such agencies may support such family planning services at no cost to the recipients of such services in accordance with the rules and regulations of said agencies.

Section 5. **INTERVIEWS.** In all cases where the recipient does not speak or read the English language, the services shall not be given unless the interviews shall be conducted in, and all advice shall be written in, a language which the recipient understands.

Section 6. **REFUSAL OR ACCEPTANCE OF SERVICES.** The refusal of any person to accept family planning services shall in no way affect the right of such person to receive public assistance or public health services or to avail himself of any other public benefit. The employees of the agencies engaged in the administration of the provisions of this Act shall recognize that the right to make decisions concerning family planning and child spacing is a fundamental personal right of the individual and nothing in this Act shall in any way abridge such individuals rights, nor shall any individual be required to state his reason for refusing the offer of family planning services.

Section 7. **DUTIES OF DEPARTMENT OF PUBLIC WELFARE.** (a) The State Department of Public Welfare is authorized to contract for family planning services to be provided by public and/or private organizations, agencies, or physicians. (b) The State Department of Public Welfare shall explore the types of assistance that might be offered to encourage the fullest utilization of the available family planning services.

Section 8. **POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH.** The Texas State Department of Health is hereby authorized and directed, by and through their representative board, to adopt and promulgate rules and regulations to cooperate with related state agencies in carrying out the intent of this Act.

Section 9. **UTILIZATION OF FUNDS.** The State Department of Health and the State Department of Public Welfare shall utilize all information available from the various agencies in an effort to assure maximum utilization of all Federal Family Planning Act funds available to the State of Texas.

Section 10. **EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was again finally passed.

HOUSE BILL ON FIRST READING

The following bill received from the House, was read the first time and referred to the Committee indicated:

H.B. 1061, To Committee on Administration.

MESSAGE FROM GOVERNOR

The following Message from the Governor was read and filed with the Secretary of the Senate:

May 28, 1973
Austin, Texas

Honorable Price Daniel, Jr.
Speaker of the House of Representatives
Austin, Texas

Honorable William P. Hobby
Lieutenant Governor
President of the Senate
Austin, Texas

Honorable Members of the Legislature
Austin, Texas

Honorable Speaker, Honorable Lt. Governor and Honorable Members of the Legislature:

This Legislature is entitled to know that I will not call a special session of the legislature to consider public school financing. There is time to dispose of the question tonight.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 264**

Senator Ogg called from the President's Table the Conference Committee Report on H.B. 264. (The Conference Committee Report having been filed with the Senate today.)

Question, Shall the Conference Committee Report be adopted?

(President in Chair)

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 2**

Senator Harris submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on H.B. 2 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

BIGHAM
McDONALD
TEMPLE
MUNSON
NABORS
On the part of the House

MAUZY
HERRING
HARRIS
OGG
McKNIGHT
On the part of the Senate

The Conference Committee Report was read and was adopted.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on H.B. 2 by a vote of 145 Ayes, 1 No.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H.B. 83	H.B. 1455
H.B. 103	H.B. 1463
H.B. 111	H.B. 1489
H.B. 257	H.B. 1502
H.B. 427	H.B. 1673
H.B. 564	H.C.R. 175
H.B. 849	H.C.R. 184
H.B. 873	H.C.R. 212
H.B. 901	H.C.R. 219
H.B. 925	H.C.R. 220
H.B. 1162	H.C.R. 223
H.B. 1193	S.C.R. 145
H.B. 1352	

ADMINISTRATION COMMITTEE GRANTED PERMISSION TO MEET WHILE SENATE IN SESSION

On motion of Senator Hightower and by unanimous consent, the Administration Committee was granted permission to meet while the Senate was in session.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Hightower submitted the following report for the Committee on Administration:

H.B. 1061

**HOUSE CONCURRENT RESOLUTION 195
ON SECOND READING**

The President laid before the Senate the following resolution:

H.C.R. 195, Authorizing Administration Committees of House of Representatives and Senate to expend funds appropriated for Constitutional Revision Convention.

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the resolution was considered immediately and was adopted.

MEMORIAL RESOLUTIONS

S.R. 900 - By Senator Aikin: Memorial resolution for Ralph S. Spangler.

S.R. 914 - By Senator Snelson: Memorial resolution for Fred Nester Adams.

S.R. 917 - By Senator Blanchard: Memorial resolution for Alex McDonald.

S.R. 918 - By Senator Blanchard: Memorial resolution for A. J. King.

S.R. 920 - By Senators Schwartz and Mauzy: Memorial resolution for Harry M. Susman.

S.R. 921 - By Senator Brooks, et al.: Memorial resolution for Dr. Herman A. Barnett.

S.R. 927 - By Senator Aikin: Memorial resolution for H. O. Bowen.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.C.R. 141 - By Senator Longoria: Recognizing week of June 3 - June 10, 1973 as Service Employment Redevelopment Week.

S.R. 901 - By Senator Clower: Extending congratulations to Diane Carole Mount.

S.R. 902 - By Senator Clower: Extending congratulations to Scott Charles Mount.

S.R. 903 - By Senator Clower: Extending congratulations to Kenneth Charles Smith.

S.R. 904 - By Senator Clower: Extending congratulations to Frankie Jo Jones and Joe Winson Blair.

S.R. 905 - By Senator Andujar: Extending welcome to Maria Isbell.

S.R. 912 - By Senator Clower: Extending congratulations to Mr. and Mrs. John Henry Faulk and John Henry Faulk, III.

S.R. 913 - By Senator Harris: Extending congratulations to Chapel Choir of First Baptist Church of Irving.

S.R. 915 - By Senator Jones, et al.: Extending congratulations to Sim Gideon.

S.R. 916 - By Senator Jones, et al.: Extending congratulations to G. E. Schmitt.

S.R. 919 - By Senator Ogg: Extending congratulations to Sidney Sylvester Medley.

S.R. 924 - By Senator Aikin: Extending welcome to Mr. and Mrs. Warren J. Bell.

S.R. 925 - By Senator Aikin: Extending welcome to James Raymond Farmer.

S.R. 926 - By Senator Blanchard: Extending appreciation to Texas Medical Association and Texas Association of Family Physicians.

S.R. 932 - By Senator Wolff: Extending congratulations to Mr. and Mrs. Frank Ingram.

ADJOURNMENT

On motion of Senator Creighton the Senate at 11:30 o'clock p.m. adjourned until 11:35 o'clock p.m. today.

APPENDIX

Sent to Governor

May 28, 1973

S.C.R. 45	S.B. 915
S.C.R. 124	S.B. 919
S.C.R. 125	S.B. 931
S.C.R. 126	S.B. 941
S.C.R. 130	S.B. 947
S.C.R. 145	S.B. 963
S.J.R. 1	S.B. 965
S.J.R. 8 (Again sent)	S.B. 969
S.J.R. 26	S.B. 982
S.B. 12	S.B. 987
S.B. 162	S.B. 989
S.B. 166	S.B. 992
S.B. 185	S.C.R. 21
S.B. 202	S.C.R. 74
S.B. 219	S.C.R. 75
S.B. 260	S.C.R. 87
S.B. 305	S.C.R. 89
S.B. 335	S.C.R. 91
S.B. 358	S.C.R. 94
S.B. 447	S.C.R. 96
S.B. 491	S.C.R. 97
S.B. 504	S.C.R. 101
S.B. 520	S.C.R. 102
S.B. 622	S.C.R. 129
S.B. 657	S.C.R. 131
S.B. 659	S.C.R. 132
S.B. 683	S.C.R. 133
S.B. 692	S.C.R. 134

S.B. 694	S.C.R. 136
S.B. 701	S.C.R. 138
S.B. 768	S.C.R. 142
S.B. 769	S.C.R. 111
S.B. 778	S.C.R. 140
S.B. 780	S.C.R. 143
S.B. 791	S.B. 11
S.B. 805	S.B. 14
S.B. 823	S.B. 52
S.B. 837	S.B. 60
S.B. 878	S.B. 216 (Again Signed)
S.B. 882	S.B. 360
S.B. 900	S.B. 388
S.B. 905	S.B. 527
S.B. 913	S.B. 983

EIGHTY-FIFTH DAY
(Monday, May 28, 1973)

The Senate met at 11:35 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

(Senator Hightower in Chair)

MORNING CALL DISPENSED WITH

On motion of Senator Aikin and by unanimous consent, Morning Call was dispensed with.

HOUSE BILL 1061 ON SECOND READING

On motion of Senator McKnight and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1061, A bill to be entitled An Act relating to compensation to certain counties in which either the county attorney or criminal district attorney performs the duties of a district attorney in addition to the duties of a county attorney or criminal district attorney; and declaring an emergency.

The bill was read second time and was passed to third reading.